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OFFICE OF PETITIONS

In re Application of :  
Kim et al. : DECISION GRANTING  
Application No. 10/706,647 : PETITION  
Filed: November 12, 2003 :  
Attorney Docket No. 5649-927DV :  
:

This is a decision on the petition under 37 CFR 1.10(c), filed March 29, 2004, requesting that the above-identified application be accorded a filing date of November 12, 2003, rather than the presently accorded filing date of November 13, 2003.

Petitioner alleges that the application was deposited in Express Mail service on November 12, 2003. In support of the allegation, the petition is accompanied by a copy of Express Mail label No. EV318419683US. Although the date-in is blank, the Express Mail label contains a United States Postal Service (USPS) stamp of November 12, 2003. The same Express Mail label number was placed on the original application papers located in the official file.

In view of the above, the petition is granted. No petition fee is necessary.

The application has undergone pre-exam processing and a corrected filing receipt was mailed on February 8, 2004, indicating that the application was accorded a filing date of November 12, 2003.

Therefore, this matter will be referred to Technology Center 2822 to await a response to the nonfinal Office action mailed on August 25, 2004.

Telephone inquiries should be directed to the undersigned at (571) 272-3211.

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